

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK N.A.,

Plaintiff,

v.

VICKI ROBINSON, et al.,

Defendants.

Case No. [14-cv-01470-JSC](#)

ORDER TO SHOW CAUSE

Plaintiff brought this state law unlawful detainer action against Defendants Vicki Robinson, Steve Robinson, and Does 1-10 in the Superior Court of California for the County of Napa seeking to evict Defendants from real property located in Napa, California. Defendants Vicki and Steve Robinson, representing themselves, subsequently purported to remove the action to this Court on the basis of federal question jurisdiction.

Defendants, as the parties seeking removal to this federal court, bear the burden of establishing that subject matter jurisdiction exists, and courts strictly construe the removal statute against removal jurisdiction. *Gaus v. Miles, Inc.*, 980 F.2d 564, 566-67 (9th Cir. 1992). Further, when a case is removed to federal court, the court has an independent obligation to satisfy itself that it has federal subject matter jurisdiction. *Valdez v. Allstate Ins. Co.*, 372 F.3d 1115, 1116 (9th Cir. 2004). The Court has reviewed the Notice of Removal and has determined that subject matter jurisdiction does not exist.

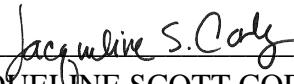
“Federal question jurisdiction exists only when a federal question exists on the face of a well-pleaded complaint.” *ING Bank, FSB v. Pineda*, No. 12-2418, 2012 WL 2077311, at *1 (N.D. Cal. June 8, 2012). The removed complaint makes only a state law claim for unlawful detainer. (Dkt. No. 1 at 8-9.) Therefore, this Court does not have federal question jurisdiction. *ING Bank, FSB*, 2012 WL 2077311, at *1.

Accordingly, Defendants are ORDERED to SHOW CAUSE as to why this case should

1 not be remanded to Napa County Superior Court. In particular, if Defendants believe that this
2 Court has subject matter jurisdiction, they shall file a response in writing by **April 25, 2014** that
3 demonstrates why this Court has jurisdiction. Defendants are warned that their failure to file a
4 response will result in remand of this action to state court for lack of federal jurisdiction.

5 **IT IS SO ORDERED.**

6 Dated: April 4, 2014

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8 JACQUELINE SCOTT CORLEY
United States Magistrate Judge

United States District Court
Northern District of California